

DEPARTMENT OF ADMINISTRATION
ONE CAPITOL HILL
PROVIDENCE RHODE ISLAND 02908
PERSONNEL APPEAL BOARD MEETING
WEDNESDAY, SEPTEMBER 14, 2016, 1:30 P.M.

MEETING MINUTES

POSTED: October 18, 2016

A meeting of the Personnel Appeal Board convened on Wednesday, September 14, 2016 at 1:38 p.m. at the Department of Administration, One Capitol Hill 3rd Floor, PAB Conference Room, Providence, Rhode Island in accordance with the public notice of its agenda posted on September 7, 2016.

Open Session:

Vice Chair Susan T. Perkins called the meeting to order and undertook a roll call for attendance. Members of the Board in attendance for the hearing were as follows:

- Susan T. Perkins, Esq. – Vice Chair
- Alison Eichler - Member
- William R. Facente – Member

Others in attendance were:

- Steven M. Merolla, Esq., PAB Attorney
- Donna M. Conway – PAB Administrative Assistant
- Daniel Clarke – DOT, Appellant
- John Affleck, Esq. – State Attorney
- Albert Nani – DOA, Office of Personnel Administration

Vice Chair Perkins noted that a quorum of members was present to conduct business.

New Business

Daniel Clarke v. DOT (16-001):

The review began with the appellant, Daniel Clarke's opening statement and argument after being sworn in, followed by State attorney, John Affleck's open statement and argument. The Board also heard testimony from witness for the State, Albert Nani (Human Resource Analyst II at the Department of Administration).

After both sides were heard, the State requested the opportunity to submit a brief. The Board granted both the State and appellant the opportunity to submit briefs within thirty days from the receipt of the transcript, after which a decision will be made.

Approval of Minutes:

- **September 6, 2016:** On motion made by Mr. Facente and seconded by Ms. Perkins, the Board voted unanimously to approve the minutes. Ms. Eichler abstained.

Adjournment:

On motion made by Ms. Eichler and seconded by Ms. Perkins, the Board voted to adjourn the meeting at 2:52 p.m.

Reconvene:

On motion made by Mr. Facente and seconded by Ms. Eichler, the Board voted unanimously to reopen the hearing at 2:53 p.m.

Executive Session:

On motion made by Mr. Facente and seconded by Ms. Eichler, the Board voted unanimously to enter into Executive Session at 2:54 p.m. and consider the following item: **Daniel Clarke v. DOT (16-001).**

Open Session:

On motion made by Mr. Facente and seconded by Ms. Eichler, the Board voted unanimously at 3:11 p.m. to come out of Executive Session and seal the minutes of Executive Session.

Adjournment:

There being no further items to consider, on motion made by Ms. Eichler and seconded by Mr. Facente, the Committee voted to adjourn at 3:11 p.m.

Donna Conway, in her capacity as Administrative Assistant